



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,366	09/18/2001	Toru Yamada	P/126-209	8343

7590 06/28/2005

Steven I Weisburd Esq
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas
41st Floor
New York, NY 10036-2714

EXAMINER

CZEKAJ, DAVID J

ART UNIT	PAPER NUMBER
----------	--------------

2613

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,366

Applicant(s)

YAMADA, TORU

Examiner

Dave Czekaj

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/16/05.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/16/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 3, 8, 10, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Boyce (US 6,262,770).

As for claims 1, 8, and 15, Boyce teaches of a plurality of decoding units each of which decodes the compressed moving picture in a resolution which is different from resolutions of the other decoding units (Boyce: Column 18, Lines 22-27); a display size obtaining unit which obtains a display size of image displayed on the display device (Boyce: Column 18, Lines 50-54. Note the size is "selected" (i.e. obtained) to be $\frac{1}{4}$ the size of the main picture); a decoding unit which selects a decoding unit to decode the compressed moving picture, from the plurality of decoding units according to the display size obtained by the display size obtaining unit (Boyce: Column 18, Lines 50-54. Note

Art Unit: 2613

the $\frac{1}{4}$ size is selected therefore the decoder is selected that uses $\frac{1}{4}$ size blocks (2x2 pixel)).

As for claims 3 and 10, Boyce teaches of selected decoding unit decodes the compressed moving picture in a resolution which is lower than an original resolution of the compressed moving picture, the decoding unit decodes them by reducing an order of IDCT (Inverse Discrete Cosine Transformation) and performing motion compensation according to the reduced order of IDCT (Boyce: Column 18, Lines 55-65).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyce (US 6,262,770).

As for claims 4 and 11, most of the limitations of the claims have been discussed in the above rejection of claims 1 and 8. Boyce does not explicitly teach of including a display size storing device which stores the display size used when the previous decoding process is completed, wherein the decoding unit selecting unit selects, at the beginning of current decoding process, one of the decoding units according to the display size stored in the display size storing device, however, Boyce

Art Unit: 2613

does mention of selecting a size and that size remains until another size is selected (Boyce: Column 18, Lines 50-54, Column 19, 24-31). It would have been obvious to one of ordinary skill in the art at the time of the invention to store this size value in order to have the information available continuously instead of retrieving (or selecting) it after each decoding process. (Official Notice)

4. Claims 2, 5, 9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyce (US 6,262,770) in view of Pearlstein (US 6,370,192).

As for claims 2 and 9, most of the limitations of the claims have been discussed in the above rejection of claims 1 and 8. Boyce does not explicitly teach of the decoding unit selecting unit newly selects the decoding unit whenever the selected decoding unit decodes a predetermined amount of the compressed moving pictures, however, Pearlstein does (Pearlstein: Column 17, Lines 34-67 and Column 18, Lines 1-17. Note the predetermined amount of data is anything between the I or P frames that are determined to need a different resolution). It would have been obvious to one of ordinary skill in the art at the time of the invention to set a predetermined amount of data because this would allow the invention to change resolutions after a set frames instead of waiting for the entire video stream to be decoded.

As for claims 5 and 12, most of the limitations of the claims have been discussed in the above rejection of claims 2 and 9. Boyce does not explicitly teach of the moving picture is compressed based on MPEG and the decoding unit selecting unit selects the decoding unit for each GOP (Group of Picture), however, Pearlstein does (Pearlstein: Column 17, Lines 34-67 and Column 18, Lines 1-17. Note the

Art Unit: 2613

predetermined amount of data is anything between the I or P frames that are determined to need a different resolution and as is well known in the art, a GOP can consist of any number of I, P, and B frames). It would have been obvious to one of ordinary skill in the art at the time of the invention to set a predetermined amount of data as a GOP because this would allow the invention to change resolutions after at set frames (GOP) instead of waiting for the entire video stream to be decoded.

5. Claims 7, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ebrahimi (5835237).

As for claims 7, 14, and 16, Ebrahimi teaches of a luminance decoding unit which decodes luminance component in the compressed moving picture (Ebrahimi: figure 2, item 11), a color-difference decoding unit which decodes color-difference component in the compressed moving picture (Ebrahimi: column 8, lines 47-49, wherein the color difference component is the chrominance component). Although Ebrahimi fails to show the luminance decoding unit decoding the compressed moving picture in a resolution which is lower than a resolution used by the color-difference decoding unit as claimed, Ebrahimi does show the luminance decoding unit compressing the video at the resolution of the chrominance signal (Ebrahimi: column 8, lines 50-53). The examiner notes that since the luminance decoding unit decodes the signal at the resolution of the chrominance signal, a lower resolution is used in order to transform the high resolution signal input to the decoder into the low resolution signal (i.e., the luminance decoder uses half resolution), whereas the chrominance decoder can

Art Unit: 2613

use a full resolution since the input signal is already a low resolution signal.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the luminance decoding in order to correctly display the video to a user.

Allowable Subject Matter

6. Claims 6 and 13 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2613

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJC


VULE
PRIMARY EXAMINER